

02/01/01
JC918745
U.S. PTO

Please type a sign (+) inside this box ! +

PTO/SB/05 (08-00)

Approved for use through 10/31/2002 OMB 0151-003
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 256] (preferred arrangement set forth below) - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure</p> <p>4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages 18] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed)</p> <p>i. <input checked="" type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76.</p>	<p>Attorney Docket No. PZ013PIC1</p> <table border="1"> <tr> <td>First Inventor</td> <td>Ruben et al.</td> </tr> <tr> <td>Title</td> <td>90 Human Secreted Proteins</td> </tr> <tr> <td colspan="2">Express Mail Label No. JC918745</td> </tr> </table> <p>ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231</p>	First Inventor	Ruben et al.	Title	90 Human Secreted Proteins	Express Mail Label No. JC918745	
	First Inventor	Ruben et al.					
	Title	90 Human Secreted Proteins					
	Express Mail Label No. JC918745						
7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies), or ii. <input checked="" type="checkbox"/> paper c. Request under 37 CFR 1.821(c)						
ACCOMPANYING APPLICATION PARTS							
<p>9. <input type="checkbox"/> Assignment Papers (cover sheet and document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement/ Form PTO/SB/08 <input type="checkbox"/> Copies of Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input checked="" type="checkbox"/> Other: Copy of Petition for Extension of Time submitted concurrently w/ Appln. No. 09/244,112</p>							

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-Part (CIP) of prior application No: 09/244,112
Prior application information. Examiner Zeman, M Group/Art Unit: 1631

For CONTINUATION OR DIVISIONAL APPS only The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	22195	or <input type="checkbox"/> Correspondence address below
NAME		
ADDRESS		
CITY	STATE	ZIP CODE
COUNTRY	TELEPHONE	FAX
NAME (Print/Type)	Registration No (Attorney/Agent) 40,302	
SIGNATURE	Date February 1, 2001	

Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2001					Complete if Known																																																																																																																																																																																																																																																																																																															
<i>Patent fees are subject to annual revision.</i>																																																																																																																																																																																																																																																																																																																				
					Application Number		Unassigned																																																																																																																																																																																																																																																																																																													
					Filing Date		February 1, 2001																																																																																																																																																																																																																																																																																																													
					First Named Inventor		Ruben et al.																																																																																																																																																																																																																																																																																																													
					Examiner Name																																																																																																																																																																																																																																																																																																															
					Group Art Unit																																																																																																																																																																																																																																																																																																															
Total amount of payment		(\$862.00)			Attorney Docket Number		PZ013P1C1																																																																																																																																																																																																																																																																																																													
METHOD OF PAYMENT (CHECK ONE)					FEE CALCULATION (CONTINUED)																																																																																																																																																																																																																																																																																																															
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to Deposit Account Number 08-3425 Deposit Account Human Genome Sciences, Inc. Name					3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920</td> <td>112</td> <td>920</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840</td> <td>113</td> <td>1,840</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>195</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,890</td> <td>228</td> <td>945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,240</td> <td>241</td> <td>620</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,240</td> <td>242</td> <td>620</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>440</td> <td>243</td> <td>220</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>600</td> <td>244</td> <td>300</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>240</td> <td>126</td> <td>240</td> <td>Submission of Information Disclosure Statement</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>481</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>710</td> <td>246</td> <td>355</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>710</td> <td>249</td> <td>355</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>710</td> <td>279</td> <td>355</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>190</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="5">Subtotal (1)</td> <td colspan="4">\$710.00</td> </tr> <tr> <td colspan="5">2. EXTRA CLAIM FEES</td> <td colspan="4"></td> </tr> <tr> <td colspan="5"></td> <td>Extra</td> <td>Fee from below</td> <td>Fee Paid</td> </tr> <tr> <td>Total claims</td> <td>24</td> <td>- 20**</td> <td>4</td> <td></td> <td>\$72.00</td> <td colspan="2"></td> </tr> <tr> <td>Indep. claims</td> <td>4</td> <td>- 3**</td> <td>1</td> <td></td> <td>\$80.00</td> <td colspan="2"></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td></td> <td>\$</td> <td colspan="2"></td> </tr> <tr> <td colspan="5"></td> <td colspan="3">Other fee (specify)</td> </tr> <tr> <td colspan="5"></td> <td colspan="3">Other fee (specify)</td> </tr> <tr> <td colspan="5"></td> <td colspan="3">*Reduced by Basic Filing Fee Paid</td> </tr> <tr> <td colspan="5"></td> <td colspan="3">Subtotal (3)</td> </tr> <tr> <td colspan="5"></td> <td colspan="3">\$</td> </tr> <tr> <td colspan="5">Subtotal (2)</td> <td colspan="3">(\$862.00)</td> </tr> <tr> <td colspan="5">Submitted By</td> <td colspan="3">Complete (if applicable)</td> </tr> <tr> <td colspan="5">Name (Print/Type) <u>Kenley K. Hooyer</u></td> <td colspan="2">Registration No.: 40,302</td> <td>Telephone 301-309-8504</td> </tr> <tr> <td colspan="5">Signature: <u>Kenley K. Hooyer</u></td> <td colspan="2"></td> <td>Date February 1, 2001</td> </tr> </tbody> </table>				Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late provisional filing fee or cover sheet		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		112	920	112	920	Requesting publication of SIR prior to Examiner action		113	1,840	113	1,840	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Statement		581	40	481	40	Recording each patent assignment per property (times number of properties)		146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	190	169	900	Request for expedited examination of a design application		Subtotal (1)					\$710.00				2. EXTRA CLAIM FEES														Extra	Fee from below	Fee Paid	Total claims	24	- 20**	4		\$72.00			Indep. claims	4	- 3**	1		\$80.00			Multiple Dependent					\$								Other fee (specify)								Other fee (specify)								*Reduced by Basic Filing Fee Paid								Subtotal (3)								\$			Subtotal (2)					(\$862.00)			Submitted By					Complete (if applicable)			Name (Print/Type) <u>Kenley K. Hooyer</u>					Registration No.: 40,302		Telephone 301-309-8504	Signature: <u>Kenley K. Hooyer</u>							Date February 1, 2001
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																																																																																																																																															
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																																																																																																																																																	
105	130	205	65	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																																																																																																																																
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																																																																																																																																
139	130	139	130	Non-English specification																																																																																																																																																																																																																																																																																																																
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																																																																																																																																																																
112	920	112	920	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																																																																																																																																
113	1,840	113	1,840	Requesting publication of SIR after Examiner action																																																																																																																																																																																																																																																																																																																
115	110	215	55	Extension for reply within first month																																																																																																																																																																																																																																																																																																																
116	390	216	195	Extension for reply within second month																																																																																																																																																																																																																																																																																																																
117	890	217	445	Extension for reply within third month																																																																																																																																																																																																																																																																																																																
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																																																																																																																																																																
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																																																																																																																																																
119	310	219	155	Notice of Appeal																																																																																																																																																																																																																																																																																																																
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																																																																
121	270	221	135	Request for oral hearing																																																																																																																																																																																																																																																																																																																
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																																																																
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																																																																																																																																																
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																																																																																																																																																																																
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																																																																
143	440	243	220	Design issue fee																																																																																																																																																																																																																																																																																																																
144	600	244	300	Plant issue fee																																																																																																																																																																																																																																																																																																																
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																																																																																																																																
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																																																																																																																																																
126	240	126	240	Submission of Information Disclosure Statement																																																																																																																																																																																																																																																																																																																
581	40	481	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																																																																
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																																																																																																																																
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																																																																																																																																
179	710	279	355	Request for Continued Examination (RCE)																																																																																																																																																																																																																																																																																																																
169	190	169	900	Request for expedited examination of a design application																																																																																																																																																																																																																																																																																																																
Subtotal (1)					\$710.00																																																																																																																																																																																																																																																																																																															
2. EXTRA CLAIM FEES																																																																																																																																																																																																																																																																																																																				
					Extra	Fee from below	Fee Paid																																																																																																																																																																																																																																																																																																													
Total claims	24	- 20**	4		\$72.00																																																																																																																																																																																																																																																																																																															
Indep. claims	4	- 3**	1		\$80.00																																																																																																																																																																																																																																																																																																															
Multiple Dependent					\$																																																																																																																																																																																																																																																																																																															
					Other fee (specify)																																																																																																																																																																																																																																																																																																															
					Other fee (specify)																																																																																																																																																																																																																																																																																																															
					*Reduced by Basic Filing Fee Paid																																																																																																																																																																																																																																																																																																															
					Subtotal (3)																																																																																																																																																																																																																																																																																																															
					\$																																																																																																																																																																																																																																																																																																															
Subtotal (2)					(\$862.00)																																																																																																																																																																																																																																																																																																															
Submitted By					Complete (if applicable)																																																																																																																																																																																																																																																																																																															
Name (Print/Type) <u>Kenley K. Hooyer</u>					Registration No.: 40,302		Telephone 301-309-8504																																																																																																																																																																																																																																																																																																													
Signature: <u>Kenley K. Hooyer</u>							Date February 1, 2001																																																																																																																																																																																																																																																																																																													

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Ruben et al.

Application Number: to be assigned

Group Art Unit: to be assigned

Filed: herewith

Examiner: to be assigned

Title: 90 Human Secreted Proteins

Attny. Docket No. PZ013P1C1

REQUEST UNDER 37 C.F.R. § 1.821(e)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir :

The above-identified patent application is a continuation of application Serial No. 09/244,112, filed February 4, 1999. The sequence listing of the instant application is identical to the sequence content of the computer readable sequence listing filed in connection with application Serial No. 09/244,112, on February 4, 2000.

In accordance with 37 C.F.R. § 1.821(e), please use the computer readable form filed in connection with application Serial No. 09/244,112 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is included in the specification of the instant application filed herewith. Applicants hereby certify that the paper copy of the Sequence Listing filed herewith and the computer readable sequence listing filed on February 4, 2000 in connection with application Serial No. 09/244,112 are the same and do not include new matter.

Respectfully submitted

Date: February 1, 2001


Kenley K. Hoover (Reg. No. 40,302)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
(301) 610-5771 (telephone)

KKH/SA/ur